

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 8:15CR69</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>MOLIQUE N. LAWSON,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the Court on the Defendant's Notice of Appeal (Filing No. 39). On January 22, 2016, the Deputy Clerk filed a Notice of Deficiency (Filing No. 40) advising the Defendant that the Notice of Appeal required a signature and that the deficiency needed to be corrected within 15 days of the date of the notice, otherwise the pleading would be stricken. The deadline to correct the deficiency has passed and therefore pursuant to Filing No. 40, the Notice of Appeal (Filing No. 39) will be stricken from the record.

Also before the Court is the Clerk's memo (Filing No. 41) regarding the untimeliness of the Notice of Appeal, and the Clerk's in forma pauperis memo (Filing No. 42).

On January 6, 2016, the Court entered Judgment and sentenced the Defendant to 16 months of imprisonment followed by five (5) years of supervised release (Filing No. 37). There was no request to the Court for an extension of time for the Defendant to file a notice of appeal, and the Notice of Appeal was not filed until January 22, 2016.

Federal Appellate Rule of Procedure 4(b)(1)(A)(i) provides that, under the circumstances presented in this case, a criminal defendant's notice of appeal must be filed within 14 days of the entry of the judgment or order being appealed. Federal Appellate Rule of Procedure 4(b)(4) provides that the 14-day period may be extended by 30 days upon a finding of excusable neglect or good cause.

In this case, the Defendant has not shown excusable neglect or good cause. Accordingly, the Defendant's notice of appeal was untimely, as well as deficient, and the defendant will not be permitted to proceed in forma pauperis on appeal.

IT IS ORDERED:

1. The Defendant's Notice of Appeal (Filing No. 39) was untimely, and deficient, and is stricken;
2. The Defendant may not proceed in forma pauperis on appeal;
3. The Clerk of Court is directed not to process the Defendant's Notice of Appeal; and
4. The Clerk of Court is directed to mail a copy of this Order to the Defendant at the last known address.

DATED this 24<sup>th</sup> day of February, 2016.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge